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EXAMINER

BULLOCK, JOSHUA

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/533,819	<b>Applicant(s)</b> MAEDA ET AL.	
	<b>Examiner</b> JOSHUA BULLOCK	<b>Art Unit</b> 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                     |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                         | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/13/2008</u> . | 6) <input type="checkbox"/> Other: _____                                                |

### **DETAILED ACTION**

1. This action is in response to amendments, arguments, and remarks filed on March 13, 2008, in which claims 1-14 are presented for further examination.
2. Claims 1 & 9 have been amended.
3. Claims 1-14 are pending.

### ***Response to Arguments***

4. With respect to claims 1-14, applicant's arguments filed March 13, 2008, have been fully considered but they are not persuasive. See response below.
5. With respect to independent claims 1 & 9, applicant asserts that Moore does not refer to a case where a plurality of files with the same name exists in the plural recording media. Examiner respectfully disagrees. Moore teaches [0135-0136] metadata regarding files which includes file names therefore it is apparent that the system of Moore detects when files of the same name exists in recording media or a file system. Applicant asserts that Moore does not disclose slot numbers, insertion flags, priority order, and system information. Examiner would like to point out that the inclusion of insertion flags as a limitation is not present in claim 9. Applicant is advised to amend limitation to recite such for patentable consideration. Applicant further asserts that Moore does not disclose that priority order indicates a priority for use of the slots. Examiner respectfully disagrees and maintains his position with respect to the same. Applicant argues that Moore does not disclose that the number of the sets of information is the same as that

of the number of slots that exist within the information processing device where the sets of information are retained. Examiner would like to point out the aforementioned limitation is not present in claim 9. Applicant is advised to amend limitation to recite such for patentable consideration.

6. With respect to claim 2, applicant asserts that Moore does not disclose the initialization process of the file system control information. Examiner respectfully disagrees. Moore teaches [0129] a memory controller for initialization of the file system [0019].
7. With respect to claim 3, applicant asserts that Moore does not disclose that the file system controller sets the priority order of the slots in advance for the respective slots when the information processing device is turned on. Examiner respectfully disagrees. Examiner respectfully disagrees and maintains his position with respect to the same.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

9. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being unpatentable over Moore et al. (US Pub. No. 2004/0230599 A1) hereinafter referred to as Moore.

In respect to Claim 1 Moore teaches:

- **an information processing device to which a plurality of information recording media can be simultaneously attached when said plurality of information recording media exist in which data stored in an information recording region is managed as a file by means of an individual file system** (A computer system is a processing device and recording media includes, memory and a variety of disks which includes magnetic and optical disks. An information recording region is a storage location in memory or a disk. Moore teaches [0024] file management using a virtual file system. Moore illustrates in FIG. 38 a plurality of recording media managed as a file.)
- **a plurality of slots which are provided in a body of said information processing device to attach said respective information recording media** (Slots are locations for adding data. FIG. 38 illustrates indicia of slots because there must be a location to store the collection of data from a plurality of sources.)

- **a system memory which retains file system control information for recognizing individual file systems constructed in said plurality of information recording media and unifying and controlling the individual file systems into a single virtual file system** (Moore illustrates (FIG. 18) a virtual file system in memory which has files systems in a plurality of information recording media.)
- **a file system controller which manages a priority order concerning utilization of said plurality of information recording media, and which refers to slot information and open information included in said file system control information in response to a request from an application program so as to access a file in a logical information recording region of said information recording media** (Moore teaches [0221] a virtual address bar which refers to the address locations of files, wherein these locations are indicative of slot information. Further Moore teaches [0172] an open folders function, which is indicative of open information via file system control. It is apparent that recording media is utilized as notified by file system controller or the address bar.)
- **an access controller which accesses a slot and an address designated by said file system controller, and acquires data of a file** (Moore teaches [0222] segments in the address bar for acquiring data of a file, thus the segments of the address bar is an access controller.)

As per Claim 2, Moore teaches:

- **said file system controller once initializes said file system control information in said system memory where a state is initially set for said application program in a manner that said information recording media are not attached and that all of the files are not open, when said information processing device is turned on** (Moore teaches [0221] a address bar which controls opening, saving or otherwise indicating how a files is to be processed, wherein it is apparent all files are not opened when the device is turned on, rather files are opened based upon the control of the address bar.)

As per Claim 3, Moore teaches:

- **said file system controller sets the use priority order of said slots in advance for the respective slots when said information processing device is turned on** (Moore teaches [0221] an address bar for controlling priority concerning utilization. The address bar also contains information regarding logical information locations.) (Moore teaches [0220] a virtual address selection based upon a hierarchy, wherein the hierarchy is indicative of a priority for information recording media.)

As per Claim 4, Moore teaches:

- **said file system controller creates slot information in reference to data recorded on a management information region of said**

**information recording media and data in a part of a data region and constructs a part of said file system control information when said information recording medium is attached to any of said plurality of slots** (Moore teaches [0221] creation of file location or slot information on the recording medium in a plurality of locations for accessing data.)

As per Claim 5, Moore teaches:

- **when opening a specific file from said information recording medium, said file system controller refers to said slot information included in said file system control information** (Moore teaches [0221] that the virtual address bar refers to the address location of slot information of files.), **accesses all of the information recording media attached to the slots in an order based on said priority order included in said file system control information** (Moore teaches [0218 & 0221] access of recording media based upon the location of file items.) (Moore teaches [0220] a virtual address selection based upon a hierarchy, wherein the hierarchy is indicative of a priority for information recording media.), **confirms whether or not a file designated by an application exists, creates open information when a designated file is initially discovered, registers a flag that indicates whether or not a file having the same name exists with file information when the file having the same name exists in another information recording medium, and creates a file handle which is related to said open**



**information** (Moore teaches [0135] a native handling code component, and a handler factory component. The folder handler is a file handle which relates to open file information. All properties regarding files are stored including name information.)

As per Claim 6, Moore teaches:

- **when reading out data of a specific file from said information recording medium, said file system controller refers to said open information by using a file handle acquired at the time of file opening from said application, determines which slot information is to be utilized, and gives the obtained slot number to said access controller in order to read out file data required for said application from a specific information recording medium** (Moore teaches [0135 - 0141] creation of handlers related to open information, which determines slot information.)

As per Claim 7, Moore teaches:

- **when recording file data on said information recording medium, said file system controller refers to said open information by using a file handle acquired at the time of file opening from said application, determines which slot information is to be utilized, and gives the obtained slot number to said access controller in order to record file data produced by said application on a specific information recording medium, and updates the slot information of**

**the file system control information retained by said system memory**

(Moore teaches [0135 - 0141] creation of handlers related to open information, which determines slot information.)

As per Claim 8, Moore teaches:

- **when closing a specific file from said information recording medium, said file system controller refers to said open information by using a file handle acquired at the time of file opening from said application, determines a slot number that is being utilized, and gives the obtained slot number to said access controller in order to record management information in a management information region of said specific information recording medium, and initializes the open information of the file** (Moore teaches [0135 - 0141] creation of handlers related to open information, which determines slot information.)

In respect to Claim 9, Moore teaches:

- **a file management method for managing data stored in respective information recording regions within a plurality of information recording media by means of a file system controller and an access controller of an information processing device** (A computer system is a processing device and recording media includes, memory and a variety of disks which includes magnetic and optical disks. An information recording region is a storage location in memory or a disk.

Moore teaches [0024] file management using a virtual file system.

Moore illustrates in FIG. 38 a plurality of recording media managed as a file.) (Moore teaches [0221] controls for access and selection of file data located at a particular address.)

- **wherein setting a utilization priority order for a plurality of slots to which said information recording media are attached** (Moore teaches [0220] a virtual address selection based upon a hierarchy, wherein the hierarchy is indicative of a priority for information recording media.)
- **creating slot information in reference to data in a management information region recorded in an information recording medium and data in a part of a data region when said information recording media are attached to any of said plurality of slots, and producing a part of file system control information through said file system controller** (Slots are locations for adding data. FIG. 38 illustrates indicia of slots because there must be a location to store the collection of data from a plurality of sources.)
- **upon opening a specific file from an information recording medium, referring to said slot information included in said file system control information and said priority order included in said file system control information** (Moore teaches [0221] that the virtual address bar refers to the address location of slot information of files.),

**accessing all of the information recording media attached to the slots** (Moore teaches [0218 & 0221] access of recording media based upon the location of file items.) (Moore teaches [0220] a virtual address selection based upon a hierarchy, wherein the hierarchy is indicative of a priority for information recording media.), **confirming whether or not a file that is designated by an application exists, creating open information when a designated file exists, registering a flag that indicates whether or not a file having the same name exists with file information, and thereby, producing the rest of said file system control information, and thus constructing a unified file system where individual systems in said plurality of information recording media are unified through said file system controller** (Moore teaches [0135] a native handling code component, and a handler factory component. The folder handler is a file handle which relates to open file information. All properties regarding files are stored including name information.)

- **upon reading out data of a specific file from said information recording medium, referring to open information of said file system control information by using a file handle acquired at the time of file opening from said application, determining which slot information is to be utilized, and giving the obtained slot number to said access controller, and thereby reading out file data required**

**for said application from a specific information recording medium through said file system controller** (Moore teaches [0135 - 0141] creation of handlers related to open information, which determines slot information.)

- **upon recording file data on said information recording medium, referring to said file system control information by using a file handle acquired at the time of file opening from said application determining which slot information is to be utilized, and giving the obtained slot number to said access controller, and thereby recording file data produced by said application in a specific information recording medium, and updating slot information of said file system control information through said file system controller** (Moore teaches [0221] that the virtual address bar refers to the address location of slot information of files.)

As per Claim 10, Moore teaches:

- **said plurality of information recording media are all managed by the same type of a file system** (Moore illustrates (FIG. 5) file management on the same type of a file system.)

As per Claim 11, Moore teaches:

- **said plurality of information recording media are managed by different types of file systems** (Moore illustrates (FIGs. 17-18) physical and virtual file systems.)

As per Claim 12, Moore teaches:

- **said file system controller uniquely specifies a file to be accessed on the basis of said priority order from among files having the same name that exist in said plurality of information recording media** (Moore teaches [0220] a virtual address selection based upon a hierarchy, wherein the hierarchy is indicative of a priority for information recording media.)

As per Claim 13, Moore teaches:

- **said file system controller confirms the existence of files having the same name in said plurality of information recording media, and gives the result to said application program** (Moore teaches [0135] a native handling code component, and a handler factory component. The folder handler is a file handle which relates to open file information. All properties regarding files are stored including name information.)

As per Claim 14, Moore teaches:

- **said file system controller confirms the existence of files having the same name in said plurality of information recording media, and gives the result to said application program in response to a request from said application program at an arbitrary time point** (Moore teaches [0135] a native handling code component, and a handler factory component. The folder handler is a file handle which

relates to open file information. All properties regarding files are stored including name information.)

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSHUA BULLOCK whose telephone number is (571)270-1395. The examiner can normally be reached on 7:30am-5pm EST M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. B. /  
Examiner, Art Unit 2162  
07/03/2008  
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